

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GINA McINTOSH, individually and on behalf
of all others similarly situated,

Plaintiff,

-against-

KATAPULT HOLDINGS, INC., et al.,

Defendants.

21-CV-7251 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

The Court has been advised that the parties in this action have reached a settlement. Dkt. 93. As the parties acknowledge, Court approval is required for settlement of claims on a class-wide basis pursuant to Federal Rule of Civil Procedure 23.

No later than **June 25, 2024**, the parties shall file a motion for class certification and preliminary approval of the class-wide settlement. The motion papers shall include a copy of the parties' proposed settlement as well as a proposed schedule for notice to the class members, for class members to opt-out, for preliminary approval of the settlement, and for a fairness hearing, as well as a proposal for the manner in which class members will be notified. *See generally* Fed. R. Civ. P. 23(e). The parties shall also submit — as a separate entry on the docket and as a Word document submitted by email to Chambers — a proposed order preliminarily approving the class-wide settlement, providing for notice, and scheduling a settlement fairness hearing.

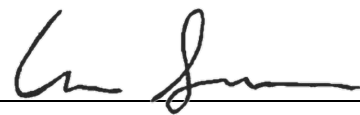
The parties are reminded that, now that they have reached a settlement, they have the option to consent to proceed for all purposes before the assigned Magistrate Judge. If they choose to do so, the assigned Magistrate Judge would decide whether to approve the settlement. In the event that all parties consent to proceed before the assigned Magistrate Judge for that purpose, they should file a fully executed consent form (available at <https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf>) on or before **June 25, 2024**.

In light of the parties' settlement, all existing deadlines in this case are adjourned *sine die* pending the submission of the filings set forth above.

SO ORDERED.

Dated: May 22, 2024

New York, New York



ARUN SUBRAMANIAN
United States District Judge